

NOV 12 2004

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To: Commissioner for Patents for Examiner Suresh Suryawanshi Group Art Unit 2115	Facsimile No.: 703/872-9306
From: Michele Morrow Legal Assistant to Francis Lammes	No. of Pages Including Cover Sheet: 13
<p>Message:</p> <p>Enclosed herewith:</p> <ul style="list-style-type: none"> Transmittal Document; and Response to Office Action. 	
<p>Re: Application No. 09/527,398 Attorney Docket No: AUS000147US1</p>	
<p>Date: Friday, November 12, 2004</p>	
<p>Please contact us at (972) 385-8777 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.</p>	<p><i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i></p>

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Aguilar et al.**

§ Group Art Unit: **2115**

Serial No.: **09/527,398**

§ Examiner: **Suryawanshi, Suresh**

Filed: **March 16, 2000**

§ Attorney Docket No.: **AUS000147US1**

For: **Method and Apparatus for
Updating Boot Code in a Data
Processing System on a Local Storage
Device**

§ Certificate of Transmission Under 37 C.F.R. § 1.8(a)
I hereby certify this correspondence is being transmitted via
facsimile to the Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, facsimile number (703) 872-9306
on November 12, 2004.

39698

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

By:

Michèle Morrow
Michèle Morrow

TRANSMITTAL DOCUMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

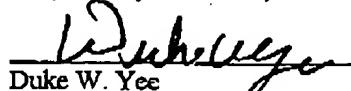
Sir:

ENCLOSED HEREWITH:

- Response to Office Action.

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 50-0563. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 50-0563.

Respectfully submitted,


 Duke W. Yee
 Registration No. 34,285
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 ATTORNEY FOR APPLICANTS

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NOV 12 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Aguilar et al.

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Serial No.: 09/527,398

§ Group Art Unit: 2115

Filed: March 16, 2000

Examiner: Suryawanshi, Suresh

For: Method and Apparatus for Updating Boot Code in a Data Processing System on a Local Storage Device

Attorney Docket No.: AUS000147US1

facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (703) 872-9306, on November 12, 2004.

By: Michele Morrow
Michele Morrow

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 50-0563. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 50-0563.

In response to the Office Action dated August 12, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.